

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RICKKE L. GREEN,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-05-1420-L
)	
JOHN WHETSEL, SHERIFF,)	
)	
Respondent.)	

ORDER

This matter is before the court for review of the Report and Recommendation entered by United States Magistrate Judge Robert E. Bacharach on February 24, 2006. Petitioner seeks federal habeas relief in connection with his state court conviction, which is currently being appealed. The Magistrate Judge recommended that the respondent's motion for dismissal be granted based on nonexhaustion of state court remedies and abstention under the Younger doctrine.

The court file reflects that petitioner did not file a written objection to the Report and Recommendation within the time limits provided. The court file reflects that petitioner did file an "Application for Court to Stop and Desist Showing Bias and Insulating Respondents From Response to Petitioner's Pleadings" [**Doc. No. 36**] and an "Application for Order for Return of Stricken

Pleading So Petitioner Can Sign It” **[Doc. No. 37]**, both of which the court has considered.

Having conducted a *de novo* review of the matter, the court finds that the Report and Recommendation should be adopted in its entirety. The Magistrate Judge’s conclusions are well supported by the record and controlling legal authorities. Accordingly, the respondent’s motion to dismiss is **granted** based on nonexhaustion of state court remedies and abstention under the Younger doctrine. This action is **DISMISSED**. In light of this order, petitioner’s “Application for Court to Stop and Desist Showing Bias and Insulating Respondents From Response to Petitioner’s Pleadings” **[Doc. No. 36]** and “Application for Order for Return of Stricken Pleading So Petitioner Can Sign It” **[Doc. No. 37]** are **denied**.

It is so ordered this 7th day of April, 2006.



TIM LEONARD
United States District Judge